

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GUOXIN SHAO,	:	
	:	
Plaintiff,	:	22-CV-6554 (VEC)
	:	
-against-	:	<u>ORDER</u>
	:	
UNITED STATES CITIZENSHIP AND	:	
IMMIGRATION SERVICES,	:	
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

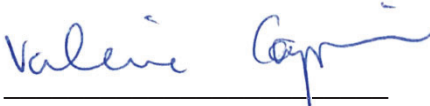
On August 2, 2022, *pro se* Plaintiff Guoxin Shao filed this action against U.S. Citizenship and Immigration Services (“USCIS”) to compel the adjudication of his I-485 application for lawful permanent resident status. *See* Compl., Dkt. 1. After moving to dismiss the action, the Government informed the Court on April 13, 2023 that USCIS had recently issued a Request for Evidence (“RFE”) to Mr. Shao regarding his application, thus mooted this case. *See* Gov’t Letter, Dkt. 34. On April 21, 2023, Mr. Shao confirmed receipt of the RFE and indicated that he consented to his case being dismissed. *See* Pl. Letter, Dkt. 38. Because USCIS’s issuance of an RFE moots this case, *see Meng v. USCIS*, 597 F. Supp. 3d 552, 554 (E.D.N.Y. 2022) (collecting cases), and because Mr. Shao consents to dismissal of this action, the Court DISMISSES the case as moot.¹

¹ This dismissal does not prejudice Mr. Shao from bringing another action in case of future delay that might satisfy the applicable jurisdictional requirements. *See Meixian Ye v. Kelly*, 17-CV-3010 (BMC), 2017 WL 2804932, at *2 (E.D.N.Y. June 28, 2017) (“If the time comes in the future where there is another delay that plaintiff believes is illegal, plaintiff will be free to commence another proceeding to challenge that delay.”).

The Clerk of Court is respectfully directed to terminate all open motions, to close this case, to send a copy of this Order to Mr. Shao, and to note the mailing on the docket.

SO ORDERED.

Date: May 15, 2023
New York, New York



VALERIE CAPRONI
United States District Judge